

Message Text

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PAGE 01 BRASIL 06601 091432Z
ACTION ARA-14

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P R 091320Z AUG 77
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC PRIORITY 3165
INFO AMCONSUL RECIFE
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

C O N F I D E N T I A L BRASILIA 6601

EO 11652 GDS
TAGS CARR SHUM BR
SUBJECT: CAPUANO VISA DENIAL

REF: (A) STATE 174269 (B) BRASILIA 6360 (C) STATE 179617

1. CHARGE ACCOMPANIED BY POLITICAL COUNSELOR, MADE PRESENTATION REFTELS A AND C TO AMBASSADOR HERMES PEREIRA DE ARAUJO, CHIEF, WESTERN HEMISPHERE DEPARTMENT, ON AUGUST 1. ARAUJO WAS ACCOMPANIED BY MINISTER MOREIRA HOSANNAH, CHIEF, CONSULAR AND LEGAL AFFAIRS, AND BY COUNSELOR LUIZ CARDOSO, CHIEF, NORTH AND CENTRAL AMERICAS DIVISION. THROUGHOUT THE MEETING ARAUJO DEFERRED TO HOSANNAH, WHO SEVERAL TIMES REPETATED, WITH LITTLE VARIATION, THE BRAZILIAN POSITION.

2. IN INTRODUCING THE SUBJECT, CHARGE STRESSED THE VERY GREAT INTEREST IN THE US IN THE BRAZILIAN DECISION ON THE CAPUANO CASE. CHARGE THEN PROCEEDED TO GIVE VERBATIM THE TEXT OF SUB-PARAGRAPHS ONE, TWO, THREE AND FIVE, PURSUANT TO THE INSTRUCTIONS, PAUSING AND AT TIMES REPEATING SENTENCES, TO ENSURE ARAUJO UNDERSTOOD AND CARDOSO'S NOTES WOULD BE AS COMPLETE AND ACCURATE AS POSSIBLE. CARDOSO, IT IS OUR IMPRESSION, TOOK FULL AND, TO THE EXTENT POSSIBLE, VERBATIM NOTES--A RELATIVELY INFREQUENT
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PRACTICE IN THE BRAZILIAN FOREIGN MINISTRY AND RESERVED FOR IMPORTANT MEETINGS AND CONVERSATIONS.

3. AFTER THE CHARGE HAD COMPLETED THE PRESENTATION (MADE IN ENGLISH), HOSANNAH RESPONDED IN PORTUGUESE. HOSANNAH IN ESSENCE SAID (A) THE DECISION TO DENY A PERMANENT RESIDENCE PERMIT TO MISSIONARY CAPUANO HAD BEEN MADE IN CONFORMANCE WITH BRAZILIAN LAW; (B)

THE GRANTING OR WITHHOLDING OF SUCH A PERMIT CONSTITUTED AN EXERCISE OF BRAZILIAN SOVEREIGNTY; AND (C) BRAZIL NO MORE THAN THE US OR ANY OTHER COUNTRY WAS REQUIRED TO PROVIDE REASONS OR JUSTIFICATION FOR A DECISION TO DENY PERMANENT RESIDENT STATUS TO THE NATIONAL OF ANOTHER COUNTRY. HE REITERATED THESE POINTS SEVERAL TIMES. WHILE THE PHRASING WAS SOFT, AND CIRCUITOUS, THE SUBSTANCE WAS VERY CLEAR.

4. THE CHARGE AND THE POLITICAL COUNSELOR REITERATED THAT THE US FULLY RECOGNIZED AND ACKNOWLEDGED BRAZIL'S SOVEREIGN RIGHT TO GRANT OR WITHHOLD RESIDENT PERMITS. US CONCERNS RELATED TO THE REASONS GIVEN FOR THE DECISION IN THE BRAZILIAN PRESS, IN PARTICULAR THE REPORTS ATTRIBUTED TO THE PRESIDENTIAL PRESS SPOKESMAN, COL. CAMARGO, PERSONALLY. TO UNDERLINE THIS POINT, CHARGE HANDED ARAUJO A CLIPPING FROM O ESTADO DE SAO PAULO, WITH SECTIONS UNDERLINED,

REPORTING THE CAMARGO'S ALLEGED STATEMENT. ARAUJO AND HOSANNAH APPEARED SURPRISED BY THIS MANEUVER; HOSANNAH READ THE CLIPPING CAREFULLY BUT REACTED ONLY BY REITERATING THE THREE POINTS OF THE BRAZILIAN POSITION.

5. IN CLOSING OUT THE DISCUSSION, CHARGE NOTED PERNAMBUCO GOVERNOR CAVALCANTI'S PROMISE TO PROVIDE THE US CONSUL IN RECIFE WITH A COPY OF THE REPORT OF THE POLICE INVESTIGATION INTO THE CAPUANO AND ROSEBAUGH CASE AND SAID WE, OF COURSE, REMAINED KEENLY INTERESTED IN THE RESULTS OF THE INVESTIGATION.

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6. COMMENT: IN SETTING UP THE APPOINTMENT WE INTENTIONALLY ADVISED ARAUJO'S OFFICE THAT WE WISHED TO DISCUSS THE CAPUANO CASE AND FROM THIS, AS WELL AS THE ASSURANCE AND LACK OF HESITATION WITH WHICH HOSANNAH (WHO AT TIMES ACTS WITH AN APPEARANCE OF DIFFIDENCE) LAUNCHED INTO THE EXPOSITION OF THE BRAZILIAN POSITION, WE CONCLUDE THAT THE RESPONSE GIVEN BY THE TWO ASSISTANT SECRETARY-LEVEL OFFICIALS REFLECTS GUIDANCE FROM HIGHER AUTHORITY, PRESUMABLY THE FOREIGN MINISTER PERSONALLY. AS FAR AS THE BRAZILIAN SIDE IS CONCERNED, THE MINISTRY CLEARLY CONSIDERS THE MATTER CLOSED, AND NO ADDITIONAL EXPLANATIONS WILL BE FORTHCOMING -- A POINT CONFIRMED BY CARDOSO TO THE CHARGE DURING A SOCIAL OCCASION SEVERAL DAYS LATER.

7. FOREGOING WAS THE PRINCIPAL OF THREE ITEMS TAKEN UP WITH ARAUJO AT THE MEETING ON AUGUST 1, THE OTHERS BEING THE US CONSUL'S INQUIRY ABOUT THE ZUFFEREY DEPORTATION PROCEEDINGS (SEPTTEL), AND AN EXPRESSION OF THE EMBASSY'S CONCERNS OVER THE DEALY IN VISAS FOR THE PEACE CORPS GROUP (SEPTTEL).

CHARGE AT THE BEGINNING OF THE MEETING EXPLAINED THAT WE WISHED TO TAKE UP THREE SEPARATE AND DISTINCT TOPICS, TO ENSURE THAT THE

PRESENTATION ON CAPUANO WOULD NOT BE DILUTED BY THE CONJUNCTION
OF TWO OTHER URGENT TOPICS.
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